

**Senate Bill No. 25**

**1. Why is this Bill before the Senate Natural Resources Committee?**

The Code Commissioner requested that the EQC request this bill in order to eliminate certain unnecessary contingencies within the Coal and Uranium Mine Reclamation Laws. In other words, this Bill is nothing more than code cleanup legislation that could not be put into the Code Commissioner's Bill.

**2. What does this Bill do?**

It repeals two session law contingencies established in House Bill 428 (2005) and House Bill 429 (2005) related to violations, penalties, and waivers under the Coal and Uranium Mine Reclamation Laws. The rationale for repealing the contingencies is that the Secretary of Interior did not disapprove any of the changes made by the legislature with respect to certain violation, penalty, and waiver procedures, and therefore the contingencies are no longer necessary. By removing these obsolete contingencies, this bill cleans up the Montana Code and makes the Code easier to read and understand. The specific language being repealed is:

**House Bill 428 (Section 6):**

**Section 6. Contingent voidness.** (1) If any portion of [section 1] is disapproved by the United States secretary of the interior pursuant to 30 CFR 732.17, then [section 1] is void.

(2) Within 15 days of the effective date of the disapproval under subsection (1), the department of environmental quality shall notify the code commissioner, certifying that the disapproval under subsection (1) has occurred.

**House Bill 487 (Section 30):**

**Section 30. Contingent voidness.** (1) If any portion of [section 3] is disapproved by the United States secretary of the interior pursuant to 30 CFR 732.17, then [section 25] and the reference in [section 3(4)] to 82-4-254 are void.

(2) Within 15 days of the effective date of the disapproval under subsection (1), the department of environmental quality shall notify the code commissioner, certifying that the disapproval under subsection (1) has occurred.